

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

NICOLE HARRIS,
BLANCA ARGUELLES,
AMBER BALDWIN, JAMILIA BEY,
SHELBY BRETON, REBECCA BREWER,
TIFFANY BROWN, JAKENYA CAMPBELL,
LASHONDRA DAVIS, SHOSHAWNA DAVIS-BOOKER,
TABITHA DAWSON, BRITTANY FLOYD, DAIJA GATEWOOD,
SHEKIRA GIBSON, SHANTONEC GREENE, JUANITA GROSS,
LATONIA GULLEY, SIENNA IMLAY, JENNIE JENNINGS,
ALISHA JOHNSON, SHARI JONES, SHENESE KIMBROUGH,
MICKIE LANE, MONICA MASON-MONTGOMERY,
SHANEKA MAYFIELD, APRIL MCCURDY, BILLY JEAN MILAS,
MELISSA NELSON, JANICE PARKER, JILLIAN PARSELL,
YOLANDA PRICE, KANOVA RHODES, TORIN RIMMELIN,
MARJORY START, BERDELLA STRONG, ROBIN SUTTON,
TIFFANY WOODS, MARICKA ZACHERY-SEAY,
NADAWA ALI, KRISTA ANSON, KRYSTEL BEGLEY,
ARNEATA COBBS, NAKYRRA HOGAN, ANNETTE MARTIN,
SHANNA MCELROY, RACHEL MILLER, LISA MOORE,
NEEDRA ANDERSON, SHAWNTA ANDERSON,
MYAH BATTS, MAYSAA BAZZI, DARLENE BINYARD,
SHAWQUANDA BOROM, KARRIE BULLOCH,
SHAMICAH BURTON, TE-ERA DAVIS, ALEESHA DYKES,
TIFFANIE EDWARDS, CHRISTINA FARRIS,
NICOLE GARCIA, KRISTI GESCH, PSAUNTIA GEORGE,
MARCIA GRAHAM, LaWANDA HAMPTON,
NAUTICA HODO, KEYA JONES, MYMOON KEITH,
JENNIFER LOPEZ, LISA MAY, EBONI MCEWEN-ROSS,
ANNESSA MCCLINTON, SHARNEA MCCOY,
ASIA MURRAY, NICOLE O'NEILL, KIMBERLY PAPPAS,
MARGUERITE PICKENS, DOMINQUA PYE, BRITTANI QUIGLEY,
LILLIAN ROBERTS, MARSHA RUTHERFORD, BEVERLY SHARPE,
KIMBERLY SMITH, IEISHA TARRANT, MARIAH THOMAS,
YASMEEN TAYLOR, SABRINA WAKEFIELD,
KENDRA BEARD, ANTAWANA BRANTLEY, CHAURITHA BOWIE,
JESSICA CLUESMAN, LAURA CONNER, SARAH DANIELS,

Case No.
Hon.

AUTUMN FELLER-KUHN, ALICIA FERGUSON,
MONEASHA FERGUSON, ONIKA FIELDS, TIFFANY GASTON,
SARAH GUESS, DANA HALL, ANDREA HILL,
MELISSA MUMPFIELD, RENETRA ROBINSON, TIFFANY SHAW,
ASHLEY SHEPARD, CYNTHIA SIMMONS, KATY SNERLING,
NICOLE THOMAS, ROSE TODDLE-LILLY, TIA WASHINGTON,
CHERRY WILKS, CHANA WOODS,

Individually and on behalf of all similarly situated
Former female inmates of the Wayne County Jail,

Plaintiffs,

vs.

COUNTY OF WAYNE;
and OFFICER TERRI GRAHAM,
In her Individual Capacity; jointly and severally,

Defendants.

COMPLAINT AND JURY DEMAND

NOW COME PLAINTIFFS, by and through their counsel, LAW OFFICE OF
MICHAEL R. DEZSI, PLLC and file their instant Complaint and Jury Demand as
follows:

PARTIES

1. Plaintiffs were putative class members in the related action of *Woodall, et. al. v. Wayne County*, Case No. 2:17-cv-13707 (E.D. Mich.)(J. Michelson) for which the Court previously determined the class to include individuals, like the instant Plaintiffs, whose claims arose on or after November 14,

2014. See Case No. 2:17-cv-13707 ECF No. 31, PageID.1303, Order on Plaintiffs' Motion to Certify Class.

2. All of the Plaintiffs, except for Kanova Rhodes, are citizens of the State of Michigan.
3. Plaintiff Kanova Rhodes is a citizen of the State of Texas.
4. Upon information and belief, each of the named Defendants are citizens of the State of Michigan.
5. Defendant County of Wayne ("County") is a governmental entity in the State of Michigan.
6. At all times relevant to this lawsuit, Defendant Graham was employed by the Wayne County Sheriff in the capacity of Deputy and/or a correctional officer at the Wayne County Jail.
7. At all times relevant to this lawsuit, all of the Defendants were acting under the color of law with respect to the events set forth in the Complaint.
8. At all material times, Defendant County of Wayne employed the named Defendant and is liable for their acts. Wayne County is also liable for the unconstitutional policies, practices, and customs of the Wayne County Sheriff.
9. Defendants are jointly and severally liable to Plaintiff for the claims asserted herein.

JURISDICTION AND VENUE

10. The Court has jurisdiction over this lawsuit pursuant to 28 U.S.C. § 1331, § 1343(a)(1)-(4) and 1343(b).
11. Venue is proper under 28 U.S.C. § 1391(b).

COMMON ALLEGATIONS

12. All of the Plaintiffs were formerly housed at the Wayne County Jail.
13. In or around October 2014 through December 2014, Plaintiff Nicole Harris was housed as a female inmate at the Wayne County Jail.
14. In April 2019 through March 2020, Plaintiff Hogan was housed as a female inmate at the Wayne County Jail.
15. In or around March 2017 through July 2017, Plaintiff Martin was housed as a female inmate at the Wayne County Jail.
16. In or around April 2018, Plaintiff McElroy was housed as a female inmate at the Wayne County Jail.
17. In August 2017, Plaintiff Moore was housed as a female inmate at the Wayne County Jail.
18. In 2017 and again in March 2019 through 2020, Plaintiff Anson was housed as a female inmate at the Wayne County Jail.
19. In March 2018 through September 2018, Plaintiff Begley was housed as a female inmate at the Wayne County Jail.

20. In February through June 2017, Plaintiff Rachel Miller was housed as a female inmate at the Wayne County Jail.
21. In July 2018 through May 2019, Plaintiff Nadawa Ali was housed as a female inmate at the Wayne County Jail.
22. In 2017 and again in 2018, Plaintiff Baldwin was housed as a female inmate at the Wayne County Jail.
23. In or about February 2017 through June 2017, Plaintiff Nicole Garcia was housed as a female inmate at the Wayne County Jail.
24. In May 2015 through June 2016, Plaintiff Gatewood was housed as a female inmate at the Wayne County Jail.
25. In May 2019, Plaintiff Monica Mason-Montgomery was housed as a female inmate at the Wayne County Jail.
26. In November 13, 2014 through November 21, 2014, Plaintiff Sabrina Wakefield was housed as a female inmate at the Wayne County Jail.
27. In February 2015 through March 2015, Plaintiff Sienna Imlay was housed as a female inmate at the Wayne County Jail.
28. From March 2015 through 2018, Plaintiff Yasmeen Taylor was housed as a female inmate at the Wayne County Jail.
29. In April 2015 through October 2015, Plaintiff Kimberly Pappas was housed as a female inmate at the Wayne County Jail.

30. In October 2011 through June 2015, Plaintiff Borom was housed as a female inmate at the Wayne County Jail.
31. In March 2016 through March 2017, Plaintiff Nicole O'Neill was housed as a female inmate at the Wayne County Jail.
32. In 2019, Plaintiff Marcia Graham was housed as a female inmate at the Wayne County Jail.
33. In July 2015 through August 2015, Plaintiff Kimbrough was housed as a female inmate at the Wayne County Jail.
34. In 2016 and again in August 2018, Plaintiff Arguelles was housed as a female inmate at the Wayne County Jail.
35. In 2018 and again in 2019 Plaintiff Bazzi was housed as a female inmate at the Wayne County Jail.
36. In 2016 Plaintiff Bulloch was housed as a female inmate at the Wayne County Jail.
37. In February through July 2017, Plaintiff Batts was housed as a female inmate at the Wayne County Jail.
38. In September 2018 through October 2018, Plaintiff Breton was housed as a female inmate at the Wayne County Jail.
39. In September 2018 and again in November 2018, Plaintiff Brewer was housed as a female inmate at the Wayne County Jail.

40. In August 2016 through January 2017 and again in September 2019 Plaintiff Tiffany Brown was housed as female inmate at the Wayne County Jail.
41. In March 2016 through June 2016, Plaintiff Burton was housed as a female inmate at the Wayne County Jail.
42. In November 2016 and again in December 2017 through February 2018, Plaintiff Cobbs was housed as a female inmate at the Wayne County Jail.
43. In March 2016 through September 2016, Plaintiff Te'era Davis was housed as a female inmate at the Wayne County Jail.
44. In June 2017 through November 2017, Plaintiff Dawson was housed as a female inmate at the Wayne County Jail.
45. In August 2015 through April 2016, Plaintiff Tiffanie Edwards was housed as a female inmate at the Wayne County Jail.
46. In November 2015 through February 2016, April 2017, and again in August 2018, Plaintiff Christina Farris was housed as a female inmate at the Wayne County Jail.
47. In March 2017 through February 2018, Plaintiff Sharnea McCoy was housed as a female inmate at the Wayne County Jail.
48. In December 2018 through January 2019, and again in March 2019 through May 2019, Plaintiff Brittani Quigley was housed as a female inmate at the Wayne County Jail.

49. In July 2018 through October 2018, Plaintiff Alicia Ferguson was housed as a female inmate at the Wayne County Jail.
50. In March 2019, Plaintiff Moneasha Ferguson was housed as a female inmate at the Wayne County Jail.
51. In February 2017 through October 2017, Plaintiff Brittany Floyd was housed as a female inmate at the Wayne County Jail.
52. In May 2019, Plaintiff Shantonec Greene was housed as a female inmate at the Wayne County Jail.
53. In 2013 through December 2015, Plaintiff Jennie Jennings was housed as a female inmate at the Wayne County Jail.
54. In June 2015 through December 2015, Plaintiff Alisha Johnson was housed as a female inmate at the Wayne County Jail.
55. In May 2015 through November 2016, Plaintiff Keya Jones was housed as a female inmate at the Wayne County Jail.
56. In April 2019, Plaintiff Mickie Lane was housed as a female inmate at the Wayne County Jail.
57. In June 2015 through August 2015, Plaintiff Jessica Lopez was housed as a female inmate at the Wayne County Jail.
58. In May 2019, Plaintiff Asia Murray was housed as a female inmate at the Wayne County Jail.

59. In April 2019, Plaintiff Janice Parker was housed as a female inmate at the Wayne County Jail.
60. In October 2015 through March 2016, Plaintiff Pye was housed as a female inmate at the Wayne County Jail.
61. In June 2016 through November 2016, Plaintiff Lillian Roberts was housed as a female inmate at the Wayne County Jail.
62. In 2017 through 2018, Plaintiff Marsha Rutherford was housed as a female inmate at the Wayne County Jail.
63. In May 2018, Plaintiff Jordan Sepulveda was housed as a female inmate at the Wayne County Jail.
64. In January through April 2015, Plaintiff Beverly Sharpe was housed as a female inmate at the Wayne County Jail.
65. In May 2016 through December 2016, Plaintiff Kimberly Nicole Smith was housed as a female inmate at the Wayne County Jail.
66. In July 2015 through October 2015, Plaintiff Marjory Start was housed as a female inmate at the Wayne County Jail.
67. In December 2015 through September 2016, Plaintiff Mariah Thomas was housed as a female inmate at the Wayne County Jail.
68. In 2014, Plaintiff Melissa Nelson was housed as a female inmate at the Wayne County Jail.

69. In 2016, August 2018 through November 2018, Plaintiff Toodle-Lilly was housed as a female inmate at the Wayne County Jail.
70. In December 2018, Plaintiff Nicole Thomas was housed as a female inmate at the Wayne County Jail.
71. In June through July 2017, Plaintiff Tiffany Woods was housed as a female inmate at the Wayne County Jail.
72. In May 2016 through October 2016, Plaintiff Needra Anderson was housed as a female inmate at the Wayne County Jail.
73. In August 2018 through April 2019, Plaintiff Kristi Gesch was housed as a female inmate at the Wayne County Jail.
74. In January 2014 through March 2015, Plaintiff George was housed as a female inmate at the Wayne County Jail.
75. In October 2015 through May 2016, Plaintiff Binyard was housed as a female inmate at the Wayne County Jail.
76. From September 2014 through March 2015, Plaintiff Nautica Hodo was housed as a female inmate at the Wayne County Jail.
77. In February through September 2019, Plaintiff Dykes was housed as a female inmate at the Wayne County Jail.
78. From December 2017 through April 2019, Plaintiff Ieisha Tarrant was housed as a female inmate at the Wayne County Jail.

79. In October 2016 through January 2017, Plaintiff LaWanda Hampton was housed as a female inmate at the Wayne County Jail.
80. In February 2015 through October 2015, Plaintiff Mymoon Keith was housed as a female inmate at the Wayne County Jail.
81. In February 2017 through August 2018, Plaintiff Marguerite Pickens was housed as a female inmate at the Wayne County Jail.
82. In November 2017 through June 2018, Plaintiff McEwen-Ross was housed as a female inmate at the Wayne County Jail.
83. In May 2014 through February 2015, Plaintiff Rimmelin was housed as a female inmate at the Wayne County Jail.
84. In November 2017 through June 2018, Plaintiff Shawnta Anderson was housed as a female inmate at the Wayne County Jail.
85. In 2015, Lashondra Davis was housed as a female inmate at the Wayne County Jail.
86. In 2014, Plaintiff Davis-Booker was housed as a female inmate at the Wayne County Jail.
87. In or around July 2019 through December 2019 Plaintiff Yolanda Price was housed as a female inmate at the Wayne County Jail.
88. In June 2015 through September 2015 and again in 2020, Plaintiff Lisa May was housed as a female inmate at the Wayne County Jail.

89. In February 2017 through June 2017 and again in October 2019 through December 2019, Plaintiff Katy Snerling was housed as a female inmate at the Wayne County Jail.
90. In November 2017 and January 2018, Plaintiff Cynthia Simmons was housed as a female inmate at the Wayne County Jail.
91. In April 2016 through August 2016, Plaintiff Zachery-Seay was housed as a female inmate at the Wayne County Jail.
92. In September 2017 and again in September 2018, Plaintiff Shaneka Mayfield was housed as a female inmate at the Wayne County Jail.
93. In or around April 2015 and February 2017, Plaintiff McCurdy was housed as a female inmate at the Wayne County Jail.
94. In or around June 2016 through July 2016, Plaintiff Parsell was housed as a female inmate at the Wayne County Jail.
95. In 2017 through 2018, Plaintiff Rhodes was housed as a female inmate at the Wayne County Jail.
96. In or around February through March 2018, Plaintiff Gibson was housed as a female inmate at the Wayne County Jail.
97. In or around September 2016 through June 2017, Plaintiff Milas was housed as a female inmate at the Wayne County Jail.
98. In 2016, Plaintiff Strong was housed as a female inmate at the Wayne

County Jail.

99. In 2017 and 2020, Plaintiff Gross was housed as a female inmate at the Wayne County Jail.

100. In May 2015, Plaintiff Campbell was housed as a female inmate at the Wayne County Jail.

101. In August 2018, Plaintiff Sutton was housed as a female inmate in at the Wayne County Jail.

102. In 2015, Plaintiff Shari Jones was housed as a female inmate at the Wayne County Jail.

103. In 2018 and 2022, Plaintiff Gulley was housed as a female inmate at the Wayne County Jail.

104. In 2015, Plaintiff Jamilia Bey was housed as a female inmate at the Wayne County Jail.

105. In 2019, Plaintiff Annessa McClinton was housed as a female inmate at the Wayne County Jail.

106. In 2018 and 2019 Plaintiff Antawana Brantley was housed as a female inmate at the Wayne County Jail.

107. In 2015, 2016 and 2017, Plaintiff Kendra Beard was housed as a female inmate at the Wayne County Jail.

108. In 2018 and 2019, Plaintiff Chauritha Bowie was housed as a female inmate

at the Wayne County Jail.

109. In 2017 and 2018, Plaintiff Jessica Cluesman was housed as a female inmate at the Wayne County Jail.

110. In May 2019, Plaintiff Feller-Kuhn was housed as a female inmate at the Wayne County Jail.

111. In 2015, 2016, 2017, 2018, and again 2019 Plaintiff Laura Conner was housed as a female inmate at the Wayne County Jail.

112. In 2016 and again in 2018, Plaintiff Sarah Daniels was housed as a female inmate at the Wayne County Jail.

113. In August 2015 through October 2016, Plaintiff Fields was housed as a female inmate at the Wayne County Jail.

114. In December 2018, Plaintiff Gaston was housed as a female inmate at the Wayne County Jail

115. In 2015, 2017 and again in 2019, Plaintiff Guess was housed as a female inmate at the Wayne County Jail.

116. In 2019, Plaintiff Dana Hall was housed as a female inmate at the Wayne County Jail.

117. In 2016 Plaintiff Mumpfield was housed as a female inmate at the Wayne County Jail.

118. In 2014 and 2015, Plaintiff Robinson was housed as a female inmate at the

Wayne County Jail.

119. In July through August 2017, and again in July 2018 Plaintiff Shaw was housed as a female inmate at the Wayne County Jail.
120. In November 2014, Plaintiff Shepard was housed as a female inmate at the Wayne County Jail.
121. In 2018 and 2019, Plaintiff Andrea Hill was housed as a female inmate at the Wayne County Jail.
122. In 2016, 2017, and 2019 Plaintiff Washington was housed as a female inmate at the Wayne County Jail.
123. In June 2019 through July 2019 and again in January 2020, Plaintiff Wilks was housed as a female inmate at the Wayne County Jail.
124. In November 2015 through April 2016, Plaintiff Chana Woods was housed as a female inmate at the Wayne County Jail.
125. During their incarcerations at the Wayne County Jail, Plaintiffs were subjected to unreasonable, unlawful, and unconstitutional strip searches conducted by agents and/or employees of the Wayne County Sheriff.
126. Specifically, the Wayne County Sheriff has allowed an unconstitutional policy, custom and practice to flourish within the Wayne County Jail whereby female inmates were forcibly exposed in a state of undress to male guards, officers, employees, and other male inmates.

127. During strip searches, Plaintiffs, and hundreds of other female inmates were made to strip down naked in common areas of the Wayne County Jail and in view of male officers as well as other inmates.
128. During such strip searches, Plaintiffs, and hundreds of other female inmates, were forced to bend over and spread their vaginal parts and anus under the pretense of searching for contraband.
129. Defendants conducted these unreasonable and unconstitutional strip searches even if the female inmates were experiencing menstrual cycles which would often result in menstrual discharges in the common areas of the jail during these *en masse* strip searches.
130. During these unconstitutional strip searches, Plaintiffs and hundreds of other female inmates would see and hear Defendant Graham and other jail staff laughing and otherwise mocking them while standing naked and being forced to expose themselves.
131. Plaintiffs were also subject to degrading, humiliating, and sexually exploitive conduct by Defendant Graham and other jail staff who would comment on their breast sizes, inquire of their sexual orientation, and make derogatory comments about their private parts and refer to them as “bleeding hogs,” “bitches,” “crackheads,” “hoes,” and other derogatory terms.
132. Defendant Graham and other jail staff would routinely degrade and

humiliate Plaintiffs, and hundreds of other female inmates, by commenting on the inmates' bodies, telling them their "pussy" stank, referring to some as "funky monkeys," and would light candles and incense while performing strip searches.

133. These strip searches, which were often conducted in groups without any necessity for doing so and without regard to Plaintiffs' constitutional right to privacy.
134. Plaintiffs each were subjected to several unreasonable and unconstitutional strip searches during their incarcerations at the Wayne County jail.
135. Plaintiffs were also routinely, forcibly exposed to male deputies who often worked in the stations adjacent to the female inmates' housing unit.
136. The male deputies who were assigned to the female housing unit had direct view into the cells of several female inmates including views of the inmates' toilets.
137. The male deputies who were assigned to the female housing unit had direct view into the shower areas of the female inmates.
138. Plaintiffs and other female inmates were often degraded, humiliated, and subjected to inhumane and cruel treatment as described herein for no legitimate penological interest but rather to embarrass, humiliate, and degrade them.

139. Plaintiffs suffered extreme emotional distress, humiliation, embarrassment, and damage as a result of Defendants' degrading, humiliating, and cruel actions.
140. Plaintiffs were putative class members in the related action of *Woodall, et. al. v. Wayne County*, Case No. 2:17-cv-13707 (E.D. Mich.)(J. Michelson) for which the Court previously determined the class to include individuals whose claims arose on or after November 14, 2014. See Case No. 2:17-cv-13707 ECF No. 31, PageID.1303, Order on Plaintiffs' Motion to Certify Class.
141. In an Opinion dated January 23, 2020, the Court granted class certification. Case No. 2:17-cv-13707 ECF No. 81, Opinion and Order Granting Plaintiffs' Motion to Certify Class. However, the Sixth Circuit later reversed class certification finding that the named Plaintiffs (Woodall, Davis, Johnston, and Hearst) did not adequately represent the class because they were incarcerated prior to the November 14, 2014 class period.
142. The instant Plaintiffs were all putative class members in the *Woodall* action and, unlike the prior *Woodall* Plaintiffs, were housed in the Wayne County jail on or after November 14, 2014.
143. As putative class members in this action, the statute of limitations for each Plaintiffs' individual claims asserted herein was tolled starting on November

14, 2017 and continued until the dismissal of the *Woodall* action such that each Plaintiffs' claims are timely.

144. Other than concluding that the prior Plaintiffs failed to adequately represent the interests of the putative class, including the instant Plaintiffs, the Court never reached the merits of class certification such that the instant Intervening-Plaintiffs, as putative class members, now assert their claims both individually and on behalf of the putative class of similarly situated women who were unlawfully strip searched in the Wayne County jail on or after November 14, 2014.

145. In particular, Plaintiffs seek to certify the following classes of putative plaintiffs:

(1) all females who were formerly housed, detained, and/or incarcerated by the Wayne County Sheriff at Division One of the Wayne County Jail from the period of November 14, 2014 until the date of judgment or settlement of this case, who were subjected to strip and/or visual body cavity searches in the presence of members of the opposite sex pursuant to the Wayne County Sheriff's policies, practices, and/or customs;

(2) all females who were formerly housed, detained, and/or incarcerated by the Wayne County Sheriff at Division One of the Wayne County Jail from the period of November 14, 2014 until the date of judgment or settlement of this case, who were subjected to strip and/or visual body cavity searches in a group with other detainees and/or inmates of the jail who were also being strip and/or visual body cavity searched and which searches did not afford privacy from others, pursuant to the Wayne County Sheriff's policies, practices, and/or customs;

(3) all females who were formerly housed, detained, and/or incarcerated by

the Wayne County Sheriff at Division One of the Wayne County Jail from the period of November 14, 2014 until the date of judgment or settlement of this case, who were subjected to strip and/or visual body cavity searches under unsanitary conditions, including being exposed to the bodily fluids of other inmates who were being strip searched, and which searches did not afford privacy from others, pursuant to the Wayne County Sheriff's policies, practices, and/or customs; and,

(4) all females who were formerly housed, detained, and/or incarcerated by the Wayne County Sheriff at Division One of the Wayne County Jail from the period of November 14, 2014 until the date of judgment or settlement of this case, who were subjected to strip and/or visual body cavity searches while being subjected to derogatory, degrading and/or sexually explicit comments pursuant to the Wayne County Sheriff's policies, practices, and/or customs;

COUNT I; VIOLATION OF THE FOURTH AMENDMENT

146. Plaintiffs hereby incorporate by reference herein the allegations contained in the above Paragraphs of the Complaint.
147. The acts of Defendants as ratified, endorsed, and cultivated by Wayne County and its Sheriff as described herein violated Plaintiffs' privacy rights as guaranteed by the Fourth Amendment to the United States Constitution.
148. Defendants' actions as described herein were undertaken without regard to any legitimate penological interest.
149. Defendants' acts of forcibly exposing Plaintiffs to be seen naked by male deputies and male inmates constituted an unreasonable invasion of privacy in violation of the Fourth Amendment.
150. Defendants' acts of forcibly exposing Plaintiffs to be seen naked by other

inmates in the absence of any legitimate penological interest by Defendants to conduct such group strip searches constituted an unreasonable invasion of privacy in violation of the Fourth Amendment.

151. Defendants' acts of forcibly exposing Plaintiffs to be strip searched while being subjected to derogatory, sexually explicit, and humiliating comments about their bodies and private parts in the presence of other guards and/or inmates and without a legitimate penological interest constituted an unreasonable invasion of privacy in violation of the Fourth Amendment.
152. Defendants' acts of forcibly exposing Plaintiffs to be strip searched under unsanitary conditions, including being exposed to the bodily fluids of other inmates, without a legitimate penological interest constituted an unreasonable invasion of privacy in violation of the Fourth Amendment.
153. Defendants' actions were not taken spontaneously in response to an emergency, but rather in conformity with the County and Sheriff's Department's deliberate policies, customs, and practices.
154. The constitutional rights that Defendants violated were clearly established at all times when Defendants violated such rights and a reasonable person in Defendants' position would have understood that their conduct was in violation of those rights.
155. Defendants are therefore not entitled to qualified immunity.

156. By virtue of Defendants' actions, Plaintiffs are entitled to compensatory and punitive damages individually and on behalf of a class of all similarly situated inmates.

**COUNT II; MONELL CLAIM AGAINST WAYNE COUNTY AND
WAYNE COUNTY SHERIFF FOR ITS UNCONSTITUTIONAL
POLICES, CUSTOMS, AND PRACTICES**

157. Plaintiffs hereby incorporate by reference herein the allegations contained in the above Paragraphs of the Complaint.

158. Defendants County of Wayne and Wayne County Sheriff employed the use of unconstitutional policies, practices, and customs relating to strip searches that resulted in the violation of Plaintiffs' constitutional rights under the Fourth Amendment.

159. Specifically, Defendants County and its Sheriff allowed the following unconstitutional policies, practices, and customs to flourish in the Wayne County Jail:

- a. subjecting female inmates to strip searches in *en masse* without regard to the inmates' privacy rights and without legitimate penological interest;
- b. forcibly exposing female inmates to strip searches in the presence of or within view of members of the opposite sex without a legitimate penological interest;

- c. forcibly exposing female inmates to strip searches in unsanitary conditions without a legitimate penological interest; and,
- d. forcibly exposing female inmates to strip searches while subjecting them to derogatory, degrading and sexually exploitive comments without a legitimate penological interest;

160. Defendants' unconstitutional policies, practices, and customs as described herein served no legitimate penological interest.

COUNT III; MONELL CLAIM AGAINST WAYNE COUNTY AND WAYNE COUNTY SHERIFF FOR INADEQUATE TRAINING AND/OR SUPERVISION OF ITS AGENTS AND EMPLOYEES REGARDING THE CONSTITUTIONAL RIGHTS OF CITIZENS

161. Plaintiffs hereby incorporate by reference herein the allegations contained in the above Paragraphs of the Complaint.

162. Defendants County of Wayne and its Sheriff had an obligation to train its employees and/or agents regarding the constitutional rights of citizens under the Fourth Amendment including the right to privacy.

163. Defendants County of Wayne and its Sheriff had an obligation to supervise its agents and employees, including the individual Defendants named herein, to insure that the constitutional rights of Plaintiffs and similarly situated female inmates were not violated.

164. In particular, Defendants' failure to train and supervise its agents and/or

employees resulted in the following unconstitutional policies, practices, and customs to flourish in the Wayne County Jail:

- a. subjecting female inmates to strip searches in *en masse* without regard to the inmates' privacy rights and without legitimate penological interest;
- b. forcibly exposing female inmates to strip searches in the presence of or within view of members of the opposite sex without a legitimate penological interest;
- c. forcibly exposing female inmates to strip searches in unsanitary conditions without a legitimate penological interest; and,
- d. forcibly exposing female inmates to strip searches while subjecting them to derogatory, degrading and sexually explicit comments without a legitimate penological interest;

165. Defendants County of Wayne and its Sheriff failed to comply with its duty to train and/or supervise its employees and/or agents and had a custom or policy of acting with deliberate indifference to violations of the constitutional rights of Plaintiffs and other similarly situated female inmates.
166. By inadequately training and/or supervising its employees and agents and having a custom or policy of deliberate indifference to the constitutional rights of Plaintiffs, Defendants encouraged and cultivated the conduct that

resulted in the violation of Plaintiffs' constitutional rights as set forth herein.

167. Defendants' policies, practices, and customs were the moving force in causing Plaintiffs' injuries as described herein.

168. By virtue of the actions of Defendant County of Wayne and its Sheriff, Plaintiffs are entitled to compensatory and punitive damages individually and on behalf of the class of putative class members.

DAMAGES AND RELIEF REQUESTED

169. Plaintiffs hereby incorporate by reference the allegations contained in the above Paragraphs of the Complaint.

170. As a direct and proximate result of Defendants' conduct, each and every one of them, as set forth herein, Plaintiffs' constitutional rights under the Fourth Amendment were violated.

171. As a direct and proximate result of Defendants' conduct, each and every one of them, as set forth herein, Plaintiffs suffered extreme injury including emotional distress, humiliation, anguish, and embarrassment.

172. Plaintiffs, individually and on behalf of similarly situated individuals, are entitled to any and all damages or losses compensable under federal and state law including, but not limited to, those damages authorized under 42 U.S.C. §§ 1983, 1988, and/or Michigan law.

173. Additionally, Defendant Graham is liable to Plaintiffs for punitive damages.

174. Plaintiffs are also entitled to declaratory and injunctive relief to prevent the further degradation, humiliation, embarrassment, injury, and emotional distress caused by Defendants' actions and unconstitutional policies, practices, and customs.

WHEREFORE, Plaintiffs respectfully requests that this Court, by and through its trier of fact enter Judgment in favor of Plaintiffs and against Defendants, together with interest, costs and attorney fees or as otherwise determined by the Court or trier of fact.

Respectfully submitted,

LAW OFFICE OF MICHAEL R. DEZSI, PLLC,

Dated: April 27, 2023

/s/ Michael R. Dezsi
MICHAEL R. DEZSI
Counsel for Plaintiffs
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Royal Oak, MI 48067
(313) 757-8112
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P64530

DEMAND FOR JURY TRIAL

By and through counsel, Plaintiffs hereby demand a trial by jury in the above captioned matter.

Dated: April 27, 2023

/s/ Michael R. Dezsi
MICHAEL R. DEZSI
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